

**Delegated Report
Discharge of Conditions**

Planning Ref: 23/00571/DISCON
Applicant: N/A N/A c/o WSP
Ward: Newbold Verdon With Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: Neovia Logistics Services (UK) Ltd Peckleton Lane Desford

Application to discharge C6 (Employment and Training Statement for Construction Employment) C9 (Tree Protection Plan) C10 (Landscaping) C14 (Construction Environmental MP), C24 (Surface Water During Construction) C41 (Construction Traffic Management Plan) attached to planning permission 21/00619/FUL (Unit 3)

Conditions and supporting details submitted to apply for the conditions to be discharged:

Condition 6

Prior to the commencement on each phase of development on the site (as shown on the Proposed Plot Demise Plot Drg No: 20011 PL07 C received 12.05.21), excluding demolition, an Employment and Training Statement for construction employment at the site shall be submitted to the local planning authority for their approval in writing. The approved Statement shall be implemented in full prior to the commencement of any construction work within that plot.

Received 9 June 2023

C6 Employment and Training Statement Rev3

Condition 9

Prior to the commencement of any phase of development, including site works of any description, a Tree Protection Plan prepared by a suitably qualified arboriculturist shall be submitted to and approved in writing by the local planning authority. The plan shall include protective barriers to form a secure construction exclusion zone and root protection area in accordance with British Standard 5837:2012 Trees in relation to design. The development shall be implemented in accordance with the approved Tree Protection Plan.

Received 9 June 2023

C9, Tree Protection Plan (Phase 2), Drg No. 1133-TPP-001-A (PHASE 2) 001 Rev A

Condition 10

Prior to the commencement of any phase of development (as shown on the Proposed Plot Demise Plot Drg No: 20011 PL07 C received 12 May 2021), a landscape implementation scheme for that plot shall be submitted to and approved in writing by the Local Planning Authority. The landscape implementation scheme will be in accordance with the general principles of the Landscape Masterplan, Drg No: 3565 101 I, 3565 102 H, 3565 103 H received 12 May 2021 and Planting Plans, Drg Nos: 3565 201 rev C, 3565 202 C, 3565 203 C, 3565 204 C, 3565 205 C, 3565 206 D, received 12 May 2021. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

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C10 Unit 3 Planting Plan (Sheet 1 of 3) Drg No 3565 216

C10 Unit 3 Planting Plan (Sheet 2 of 3) Drg No 3565 217
C10 Unit 3 Planting Plan (Sheet 3 of 3) Drg No 3565 218
C10 Unit 3- Phase 2- Landscaping Layout, Drg No 102

Condition 14

Prior to any phase of development commencing, excluding demolition, a Construction Traffic and Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall detail as a minimum, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision and how during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of construction for the whole development area.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Received 8 January 2024

C14, C24 & C41 CTMP Units 3 & 4 Rev 2

Condition 24

Prior to any phase of development commencing, excluding demolition, no development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction for that phase of the development has been submitted to, and approved in writing by the Local Planning Authority. The development of that phase shall be carried out in full accordance with the approved details.

Received 8 January 2024

C14, C24 & C41 CTMP Units 3 & 4 Rev 2

Condition 41 (Revised wording 22/00262/NMA)

Prior to any phase of development commencing, excluding demolition, a Construction Traffic and Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall detail as a minimum, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision and how during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of construction for the whole development area.

Received 8 January 2024

C14, C24 & C41 CTMP Units 3 & 4 Rev 2

Consultees / Assessed by:

LLFA (Local Lead Flood Authority) – Leicestershire County Council
Drainage Officer
Environmental Services Officer
LCC Highways
Tree Officer
Compliance & Monitoring Officer

Conclusion / Summary:

Condition 6

The Employment and Training Strategy provides details to support the discharge of condition for unit 3. The details have been assessed by the Councils Principal Economic Regeneration Officer who has advised the details are acceptable to enable the condition to be discharged as the details demonstrate how local employment is to be generated through the construction and operation of the building hereby approved in accordance with Policy DM4 of the SADMP (2016).

Condition 9

A Tree Protection Plan was submitted in June 2023 and assessed by the Councils Tree Officer. The plan does not provide any fencing specifications, or a timed arboricultural supervision and monitoring programme to ensure that the consultant is checking the site at regular intervals during the construction period to ensure that agreed trees for retention are suitably protected to ensure retention. Reports should be detailed in the TPP to be provided and no encroachment on to RPA's needs to also be detailed in the protection plan to ensure that the mature trees on site that are to be retained are adequately protected during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 170 of the National Planning Policy Framework (2019). The Agent was advised, and the details requested on numerous occasions, however no revised TPP has been provided.

Condition 10

Landscaping Plans have been provided in support of Condition 10, however no implementation timetable has been provided that details when and how the landscaping plans will be implemented therefore the LPA is unable to discharge the condition as without its implementation the development is at risk of not providing a satisfactory external appearance in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 14

A construction environmental and traffic management plan has been submitted as one document to support Conditions 14, 24 & 41. The details within the plan have been assessed by the Councils Environmental Services Officer and the Local Highway Authority (LHA) where the contents within demonstrate how they propose to minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) for dust odour, noise, smoke, lighting and land contamination. However the condition requires an element of traffic management and the LHA are unable to accept the document as it doesn't fully satisfy the traffic and parking element of the conditions to ensure that parking off site is not an issue. Please see condition 41.

Condition 24

A construction environmental and traffic management plan includes the details of how surface water during construction will be addressed. The details have been assessed by the Councils Drainage Officer and the LLFA where the details are found to be acceptable within as it demonstrates how they proposed to prevent any increase in flood risk, maintain the existing surface water runoff quality and to prevent damage to the final water management systems through the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD. Whilst this is acceptable we are unable to approve the plan as it also represents Conditions 14 & 41 and it does not fully satisfy these conditions.

Condition 41

A construction environmental and traffic management plan details of how the developer proposes to manage and mitigation traffic during the construction period. The Local Highway Authority have raised concerns over the plan as it does not satisfactory or demonstrate how they will satisfactory deal with construction traffic and parking on site so it does not lead to on-street parking problems in the area, although it does ensure that wheel wash facilities are located on site to assist with the mitigation of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users. The Agent has been advised of the comments from the Local Highway Authority but has to date not provided a satisfactory response to address their concerns.

Officer Recommendations: Unit 3

Condition 6 Employment & Training – Discharged

Condition 9 Tree Protection Plan - Not Discharged

Condition 10 Landscape Implementation Scheme – Not Discharged

Condition 14 Construction Environmental Management Plan - Not Discharged

Condition 24 Surface Water Management During Construction – Acceptable but unable to Discharge

Condition 41 Construction Traffic Management Plan – Not Discharged